

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY  
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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CHRISTINE LIVESAY and  
NICHOLAS DeSIMONE,

Plaintiffs,

v.

PHILIP DUNTON MURPHY,

Defendant.

CIVIL ACTION NO.:  
3:20-cv-17947-BRM-TJB

**NOTICE OF MOTION TO  
DISMISS IN LIEU OF AN ANSWER**

To: United States District Court  
District of New Jersey – Trenton Vicinage  
Clarkson S. Fisher Bldg. & U.S. Courthouse  
402 East State Street  
Trenton, New Jersey 08608

Christine Livesay  
419B Raritan Ave.  
Raritan, New Jersey 08869

Nicholas DeSimone  
33 East Oak Ave  
Lawnside, New Jersey 08045

**PLEASE TAKE NOTICE** that on **March 15, 2021**, the undersigned, Gurbir S. Grewal, Attorney General of New Jersey, and Michael R. Sarno, Deputy Attorney General, appearing on behalf of Defendant, New Jersey Governor Philip D. Murphy, shall move before the United States District Court for the District of New Jersey for an Order dismissing all claims against him pursuant to Federal Rule of Civil Procedure 12.

**PLEASE TAKE FURTHER NOTICE** that the undersigned shall rely upon the attached Brief, proposed Order and Certificate of Service in support of the motion.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Rule 78, oral argument is not requested.

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY

By: /s/ Michael R. Sarno  
Michael R. Sarno  
Deputy Attorney General

Date: February 18, 2021